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**OFFICE OF PETITIONS**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/652,993                      Confirmation No. : 4012  
Applicant : Vishnu K. Agarwal  
Filed : August 31, 2000                      Attorney Docket No.: 501082.04  
Art Unit : 2815                      Customer No. : 27,076  
Examiner : Jose R. Diaz  
Title : DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A  
CONDUCTIVE LAYER IN SAID DEVICE

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR WITHDRAWAL FROM ISSUE (37 C.F.R. § 1.313(c)(2)) TO PERMIT  
CONSIDERATION OF AN INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97)  
IN A REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)**

Sir:

In accordance with 37 C.F.R § 1.313(c)(2), Applicant hereby petitions the Office that the above-identified application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 C.F.R. § 1.97 in the Request for Continued Examination (37 C.F.R. § 1.114) filed herewith. This application was allowed on October 21, 2003, and the issue fee was paid on January 21, 2004.

Applicant requests that the application be withdrawn from issue in favor of the Request for Continued Examination filed herewith. Applicant requests that the Office grant this Petition and consider the Request for Continued Examination and Information Disclosure Statement filed concurrent herewith.

Enclosed is a check in the amount of \$900, \$130 of which is to cover the petition fee in accordance with CFR 1.17(h).

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1266. A copy of this Petition is enclosed.

Respectfully submitted,

DORSEY & WHITNEY LLP



Mark W. Roberts, Ph.D.  
Registration No. 46,160

MWR:pep

Enclosures:

- Postcard
- Check
- Copy of this Petition
- Request for Continued Examination (+ copy)
- Information Disclosure Statement
- PTO Form 1449 and cited references (3)

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